

PROB 12C
(7/93)

Report Date: January 22, 2010

United States District Court

for the

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 25 2010

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Jeffrey Michael Ochoa

Case Number: 2:06CR02023-001

Address of Offender: _____ Yakima, WA 98908

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 9/6/2006

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 30 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 4/15/2009

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 1/14/2012

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Jeffrey Michael Ochoa failed to report to the U.S. Probation Office as directed on January 21, 2010.

On January 20, 2010, Mr. Ochoa reported to the U.S. Probation Office at which time he was instructed to report for an office visit on January 21, 2010, at 9 a.m. On January 21, 2010, the defendant failed to report as directed. That same day contact was made with his roommate who related Mr. Ochoa left the residence in the morning and had not returned. A message was left for the defendant to report that same day before 4 p.m. otherwise Court action would be requested. To date the defendant has failed to report or contact the U.S. Probation Office, and his whereabouts remain unknown.

- 2 **Special Condition #15:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

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Supporting Evidence: On January 16, 2010, Jeffrey Michael Ochoa failed to complete an approved substance abuse treatment program.

On December 14, 2009, Mr. Ochoa entered a 90-day intensive inpatient treatment program at American Behavioral Health Systems (ABHS) in Spokane, Washington. On January 16, 2010, Mr. Ochoa called the U.S. Probation Office and left a voice mail message stating he was going to abort treatment so he could attend a friend's funeral. On January 18, 2010, treatment personnel from ABHS contacted the U.S. Probation Office and related the defendant had aborted treatment on January 16, 2010.

- 3 **Special Condition #16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On January 20, 2010, Jeffrey Michael Ochoa reported to the U.S. Probation Office and submitted a urine sample which tested presumptive positive for methamphetamine.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 01/22/2010

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other


 Signature of Judicial Officer

1/25/10
 Date